

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**B.W. o/b/o K.S., a minor, and
T.S. o/b/o J.W., a minor,**

Plaintiffs,

-against-

**Civil Action No.
09 Civ. 6686 (RMB) (HBP)**

**NEW YORK CITY DEPARTMENT
OF EDUCATION,**

Defendant.

-----X

**PLAINTIFFS' MOTION
FOR AN AWARD OF DISTRICT COURT ATTORNEY'S FEES AND COSTS**

**MICHAEL D. HAMPDEN (MH 2359)
PARTNERSHIP FOR CHILDREN'S RIGHTS
Attorney for Plaintiffs
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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B.W. o/b/o K.S., a minor, and
T.S. o/b/o J.W., a minor,

Plaintiffs,

against-

NEW YORK CITY DEPARTMENT
OF EDUCATION,

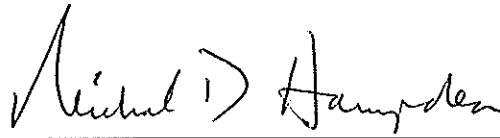
Defendant.
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Civil Action No.
09 Civ. 6686 (RMB) (HBP)

NOTICE OF MOTION FOR AN
AWARD OF DISTRICT COURT
ATTORNEY'S FEES AND COSTS

PLEASE TAKE NOTICE, that upon the annexed affidavits of MICHAEL D. HAMPDEN, Esq. sworn to on June 25, 2010, and ERIN MCCORMACK-HERBERT, Esq., sworn to on June 24th, 2010, the Exhibits annexed thereto, the accompanying Memorandum of Law, and upon all the papers and proceedings had herein, plaintiffs will move this Court before the Honorable Henry B. Pitman, United States Magistrate Judge, at the United States District Court, 500 Pearl Street, New York, New York 10007, for an order pursuant to Rule 54 of the Federal Rules of Civil Procedure, and the Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. § 1415(i)(3), for an award of reasonable attorney's fees and costs to plaintiffs in connection with this district court action in the amount of \$37,419.71, and for such other and further relief as to the Court may seem just and proper.

Dated: New York, New York
June 28, 2010



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To:
Clerk of the Court

Michael A. Cardozo
Corporation Counsel of the City of New York
New York City Law Department
100 Church Street, Room 2-165
New York, NY 10007
Attn: David A. Rosinus, Jr.
Assistant Corporation Counsel
arosinus@law.nyc.gov

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

B.W. o/b/o K.S, a minor, and
T.S. o/b/o J.W., a minor,

Plaintiffs,

- v -

NEW YORK CITY DEPARTMENT
OF EDUCATION,

Defendant.

-----X

Docket No.
09 CV 9986 (RMB) (HBP)

CERTIFICATE OF
SERVICE BY MAIL

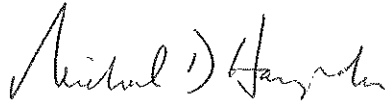
The undersigned hereby certifies under penalty of perjury that on the 28th day of June 2010, he served the attached plaintiffs' Motion for an Award of District Court Attorney's Fees and Costs, including:

Notice of Motion
Affidavits of Michael D. Hampden, Esq. and Erin McCormack-Herbert, Esq.
Exhibits A through D in support of motion

Service was made by first class mail to counsel for the defendant New York City Department of Education:

Michael A. Cardozo, Corporation Counsel of the City of New York
New York City Law Department
100 Church Street, Room 2-165
New York NY 10007
Attn: D. Alan Rosinus, Esq., Attorney for Defendant

Dated: New York, New York
June 28, 2010



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